App. F. IX-4

1926-7

File No. 88-26

Previous References (R.A)

Serial Nos. 1-6.

P 30F

Later References
R.A 21-27-(164)

General and Revenue Secretariat.

Serial Nos. Six

Part B for October 1927.

SUBJECT

Appeal petition of Mr. B. Rangarajiah, Mudgere re the election of messrs. Dyavappa Gowda and Manje Gowda to the Rep. Assembly from the Mudgere rural Constituency.

6) Do Mr. B. Rangarajiah, Mudgere.
Rel 233 & 8.10.1927.

In reply to his appeal petition appealing against the order of the D.C. Kadur upholding the election of messrs. Dyavappa Gowda and Manje Gowda to the Rep. Assembly from the Mudgere rural Constituency, wherein that Court after a perusal of the records, are of opinion that the D.C. was right in upholding the election and that the appeal is therefore dismissed.

Do copy to D.C. Kadur returning the records.

Mulbagal
26/10/27.

C R.A. 88-26

G. R. S. III—3].

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

D 1724 1. Read Mr B. Rangarajiah's
Appellate to the Hon. Appeal
26-27 : Appeal petn &
letter with petition & 10.6.27
received 14.6.27
Appeals against the order
of the D.C. confirming
the election of messrs Devappa
Gowda & Mahe Gowda
as duly elected from Mudigere
taluk, on the ground of
corrupt practices and
requests the issue of an
order immediately suspending
the election pending
disposal of the appeal,
and postponing the date of
the opposed election
this time

1. Submitted

2. The petitioner Mr. B.
Rangarajiah who
is a nominated member
of the Ad representative
Vallegars in the Assembly
Even was also a candidate
Candidate from Mudigere
at the [illegible]

N. B.—Should routine notes be written on small slips, the notes must be cipoed, or slips pasted on this form.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

election has appealed
against the order of the Dy
Comr. dismissing his petition
the election of Messrs Dyavappa
Gowda & Thanje Gowda
on the ground of corrupt
practices & state that the
order of the Dy Comr clearly
shows that Sundaree has
not been properly appreciated
& that it has not been
carefully analysed.
3. He therefore requests that
the election may be suspended
& immediate orders passed
postponing the sitting of the
opponents (Messrs Dyavappa
Gowda & Thanje Gowda) in
the Assembly pending the
disposal of the appeal.
& is submitted that

N.B.—Should routine notes be written on small slips the notes must be mounted or slips pasted on this form.

there can be no pending
election pending the
disposal of an appeal

G. R. S. III—3]

D.1724

17/6/29

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

before Government

4. As appeared the appeal petition will be forwarded & the D.J. concerned will be asked to forward a complete report with entire records & the petitioner informed that the election of Messrs. Devappa Gowda & Manje Gowda cannot be set-aside pending the disposal of the appeal.

5 Drafts are however submitted for approval or other orders.

16/6

8th 16.6.29 6. Mr. Rangaraja of Mudigere has appealed against the order of the Dt. of Kadur refusing to set aside the election of Messrs. Devappagowda and Manjia gud. has

N. B.—Should routine notes be written on small slips the notes must be cipoed, or slips pasted on this form.

D-1724

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

further prayed that the
election may be stayed
pending disposal of
the appeal.

There is no provision
to be made such a stay
order. He may be informed
accordingly.

If approved records will
be called for from the
lower for the decision of
the appeal.

(Lee & Divide)

(Deem) 28/6/16

DEWAN'S OFFICE.
Received on
20. JUN 1917
Reg. No 9916

20.6.27

21-6

N. B. -Should routine notes be written on small slips
the notes must be pasted, or slips pasted on
this form.

Two Drafts submitted for approval
21/6 21-6-27

21-6

Issue
22/6

Issued vide No. 55961/R.I
No. Reg. 1751/R.I

By Regd

General and Revenue Secretariat. GR File No. 88 of 1926

Serial No.	
3.	To Mr. B Rangarajiah GR Member Madigere No: 5596 d/24.6.27 Informing him that there is no provision in the Rules to issue such a stay order.
4.	To The Dy Comr Kadur dt No: 1781 d/24.6.27 Forwards the petition of Mr. B Rangarajiah for report with records.
5	From Dy Comr Kadur dt. No. C49/27-28 d/7.7.27 Forwards the report with entire records of the case. Submitted. His attention is invited to the last portion of the judgment in which the Dy Comr says that his predecessor in office (Mr Hebbakar) has not been examined & it is not known what his version is. All the witnesses for the petitioner say that there was free tiffin supply free motor ride on the election day arranged by the opponents & witnesses for opponent say that they paid for tiffin charges & for their journey from their place to the place of election.
Flag B.	

NOTE—Contn. sheet.

WD-2293—GPB—10,000—4-5-27

[App. F. III—2]

36/6

General and Revenue Secretariat.

R.A. File No. 88 of 1926

Serial No.	
	Submitted for general orders 12/7 SR 12.7.27

NOTE—Contn. sheet.

WD 2293—GPB—10,000—4-5-27

General and Revenue Secretariat. | File No. of 192 .

Serial No.

In the elections that took place at Mudigere on 12th March 1927 Devappa Gowda and Manje Gowda were declared to be duly elected and this election was contested by Mr. Rangarajiah of Mudigere before the Deputy Commissioner of Kadur District on the grounds (1) that the opponents entertained the voters to coffee and food (2) that they supplied buses free of charge to voters to enable them to come and vote in their behalf (3) that they induced persons who were not voters to come and vote under false names (4) that they offerred valuable consideration to voters to vote in their favour and (5) that voters who did not appear on 12th March 1927 but on the 13th were allowed to vote in their favour. The Deputy Commissioner held an enquiry and passed an order copy of which is flagged B.

With regard to the first ground the evidence of P.W.3 is that the voters were given coffee and food free by the first opponent but only the servant of the 1st opponent was serving them. The evidence of P.W.5 is merely hearsay. The evidence of P.W.6,7 and 8 amounts to saying that the opponents had made arrangements for free feeding and that the opponents admitted that they were doing so. The evidence of these witnesses does not indicate which of the voters were influenced by this corrupt practice. P.W.9 was however a voter. He says he had free refreshments arranged for by the second opponent. P.W. 10 says

NOTE—Contn. sheet

WD 3424—GPB—60,000—21-5-27

Serial No.

that the opponents had made arrangements for free feeding at Kalasa centre also for the voters. The evidence of this witness is however to be taken with some qualification as he himself says that though he took 50 voters for the opponents, he did not himself vote for them.

The opponents deny the allegations and they and their witnesses speak to the effect that one Surappa D.W.2 was keeping a special hotel in Samanna's house at Mudigere and they had nothing to do with it and that no feeding arrangements had been made in Yalakki Mandi. The opponents' witnesses 3 and 4 say that P.W.9 paid for the tiffin that he took. It is thus a matter for believing P.W.9 or D.Ws 3 and 4. The Deputy Commissioner says that there is nothing to lead him to believe the evidence of P.W.9 in preference to that of D.Ws. 3 and 4 and he finds in favour of the opponents on the first ground.

On the second ground P.W.3 says that he had a free ride in the bus. The Deputy Commissioner finds that this witness is under the influence of D.W.2 between whom and the second opponent there is stated to be enmity as spoken to by D.W.1. The evidence on this point does not establish that any voter who had ridden free, voted for the opponents. Besides, P.W.3 who speaks to this point was not at all a voter. The discrepancy between the evidence of P.W.2 and P.W.3 namely, whereas -

NOTE—Contn. sheet

WD 0321—GPE—60,000—24-5-27

General and Revenue Secretariat. | File No. of 192 .

Serial No.

Devappa Gowda says that he had gone near the bus to see the voters despatch in the bus, P.W.3 says that Devappa Gowda did not at all come near the bus. This shows that the evidence of P.W.3 is not reliable. The evidence of P.W.9 and 10 speak to free rides in the bus and D.W.3 and 4 contradict this statement. D.W.11 says that he paid the bus hire. So also D.W's. 3 and 4. The Deputy Commissioner therefore concludes that there is no evidence to prove the second ground.

On the third ground there is no evidence -- except the interesting statement of the petitioner and the Deputy Commissioner therefore finds in favour of the opponents.

With regard to the fourth ground the only evidence of P.W.10 is disbelieved by the Deputy Commissioner. P.W.10 says that 12 seers of coffee seeds had been promised to this witness by the 1st opponent as consideration of the latter getting 50 voters. -- Exhibits 13 and 14 show that only 2 seers had been actually sent. The first opponent explains that he sent this as a matter of courtesy as is usual in Malnad parts. Even those 2 seers were returned to the first opponent. The explanation of the opponent is accepted by the Deputy Commr. The evidence of P.W.1 is rather suspicious as he says that although he took the trouble of taking 50 voters to vote on the opponents' behalf this witness says he did not vote for the opponent.

NOTE—Contn. sheet

WD 0321—GPB—60,000—24-5-27

D-36 10

App. F. III—2]

General and Revenue Secretariat. | File No. 29.9.27 of 192

Serial No.

With regard to the last ground the only evidence adduced is that one Sannegowda was in Kalasa on the 12th. The Deputy Commissioner says that his voting on the 13th has not beenestablished and so he finds for the opponents. Thus the Deputy Commissioner found in favour of the opponents on all the grounds and dismissed the objection petitions. The petitioner Mr. Rangarajiah has appealled to Government, and he adduces in his appeal memo the same grounds as
The order of the Deputy Commissioner seems to be correct.

It may also be stated that the Appellant Mr Rangarajia has since been nominated to the R. A to represent the Tallagars.

Secy (L-D) 28/9

I have gone through the records & find that the appellant has no case & that there is no substance in any of the grounds urged in support of the appeal.

The appeal may perhaps be rejected.

3rd Member. Agree 28/9

28/9

H 10/27

OFFICE OF THE THIRD MEMBER OF COUNCIL
30 SEP. 1927
No. 2876

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

D-36 [illegible] 11

5-10-27 App. F. III—2]

General and Revenue Secretariat. AA File No. 86 of 1926

Serial No.

DEWAN'S OFFICE.
Received on
5 OCT. 1927
Reg. No. 2434.

Dewan

84
4-10-27

No
5-10-27

84
6/10.

6/10

Draft submitted:

7/10

7/10

6 To Mr. B. Rangarajaiah, R.A member, Mudgere

No: Rd 233 dt 8-10-27.

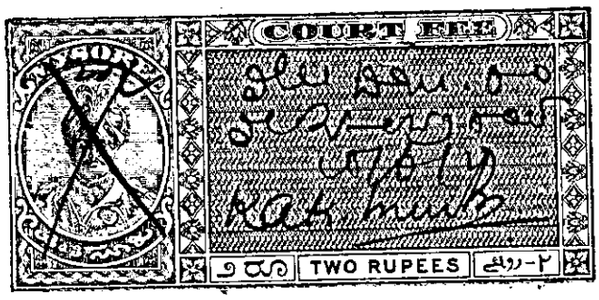
Informs that his petition appealing against the order of D.C. upholding the election of Messrs. Gavappa Gowda and Manje Gowda from the Mudgere rural Constituency, is dismissed.

No 234 dt 8-10-27.

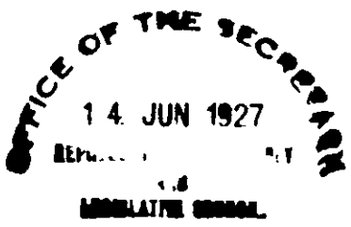
Forwards D.C. Kadur and returns the records.

9/10

Contin. sheet.



(1
RA 88-26-1
Rec. S.n-A.



Recd 15/6/27 5 pm

Before the Government of His Highness the Maharaja of Mysore.

Election Appeal No. of 1926-1927.

Election Petition 1 of 26-27:
on the file of the Deputy Commissioner of Kadur.

Appellant.	Respondent.
B. Rangarajayya.	1. Dyavappa Gowda. 2. Manje Gowda.

Under Clause 6 (a) of the Rules framed by Government No.P 2400-Legis: 12-23-7 dated the 7th of November 1923, the appellant files the follow--ing memorandum of appeal from the order of the -- Deputy Commissioner of Kadur District dated the 1st of June 1927 in Election Petition 1 of 1926-1927 for the following reasons:-

1. The learned Deputy Commissioner ought to have framed on the 1st issue that the opponent entertained the voters to coffee and food.

2. His reason for rejecting the evidence of petitioners's witness No.9 on the ground that it is contradicted by the evidence of witnesses 3 and 4 for the opponents cannot justify him to disbelieve the

the evidence of other witnesses for the petitioner on the point.

3. The learned Deputy Commissioner has given no reason whatsoever for disbelieving the evidence of petitioner's witnesses 3, 5, 6, 7 and 8 and especially that of witnesses 5, 6, 7 and 8 which clearly proves that the opponent entertained the voters to coffee and food.

4. The learned Deputy Commissioner ought to have found on the 2nd issue that buses were sup--plied free of charge to voters to come and vote on behalf of the opponents.

5. He was not justified in rejecting the evidence of petitioner's witnesses 2 and 3 and 9 and 10 in the absence of their not being cross examined about the existence of enemity between the 2nd opponent and witness 2 and through him witness 3. The statement of witness 1 for defence is evidently an after-thought and wants corroboration.

6. He ought to have accepted the evidence of witnesses 5 and 6 for petitioner as admit--ting of no doubt regarding the person for whom the passengers voted.

7. He was not correct in finding that nobody travelled free of charge merely be-cause some travelled with paid tickets.

8. There is no reason or justification for rejecting the clear evidence of petitioner's witness No.10, especially when his statement

is

is borne out by the two letters written to him by the 1st opponent.

9. The evidence of this single witness is more than enough to conclude that there was corrupt practice on the part of the respondents.

10. The evidence on behalf of the opponents is - entirely interested on the face of it and their evidence ought not to have prevailed over that on behalf of the -- appellant.

WHEREFORE the petitioner submits that the learned Deputy Commissioner has grossly misappreciated the evidence and that the facts justify the only conclusion that corrupt practice prevailed and that injustice and equity the election should be set aside in the best interests of the public.

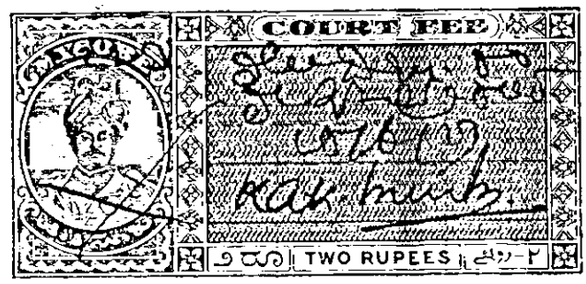
Bangalore,
10th June 1927.

D. D. Devaraj Urs

Petitioner.

Purushothama Rao

Advocate for Petitioner:



In the Court of Before the Principal J.M.F.C. Chikmagalur

Election appeal **No.** **of 1926–1927.**

Appellant—Plaintiff.		*Respondent—Defendant.*
B. Ranga Rajayya	*Vs.*	1) Devappa Gowda 2. Manje Gowda

1. I, the appellant, above-named do, by these presents, retain **Mr. D. M. Ramachandra Rau, B.A., B.L.,** *Advocate,* to appear and conduct the above case on my behalf to judgment.

2. I/~~We~~ further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf and to receive from the Court all documents, refunds, and all sums of money that I/we may be entitled to get and grant receipts therefor.

3. I/~~We~~ also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing.

BANGALORE,
10 June 1927.

B. Ranga Rajayya

Personally known to me and signed in my presence.

D. M. Ramachandra Rau

Accepted

D. M. Ramachandra Rau

Advocate. for Appellant

10-6-27

TWO ANNAS
ಎರಡು ಆಣೆ
GOVT OF MYSORE

b

By Sri [illegible] appellant

(1) Whether the opponent entertained the Voters to Coffee and food.

(2) Whether he supplied buses free of charge to Voters to enable them to Come and Vote in his behalf.

(3) Whether he induced who are not Voters to Come and Vote under false names.

(4) Whether he offered Valuable Consideration to Voters to Vote in his favour.

(5) Whether Voters who did not appear on 12-3-27 at all, did appear for the first time on 13-3-27 and Vote in favour of the opponent.

Ten witnesses have been examined for the petitioner.

The opponents denys the allegations. 14 witnesses have been examined on their behalf.

The first issue is whether the opponents entertained the Voters to Coffee and food. Petitioner Witness No 3 says that Coffee and food were given to the Voters free at Mudigere by the 1st opponent but says that the I opponent was not there and that a Servant of the I opponent (whom he does not know) served them.

petitioner Witness No 5 says that the Voters were having refreshments at Shamanna's house in Mudigere petitioners and another told him that the II opponent was feeding them and that

TWO ANNAS
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GOVT OF MYSORE

and that they had tried to the Deputy Commissioner.

petitioner witness No. 6 (a police Constable says the opponents had arranged for the refreshments (at Mudigere). Witness No. 7 says that the Victuals etc were brought in his Shop by 1st opponent and both this witnesses and witness No. 8 says that the opponents admitted this free feeding remarking that there was nothing wrong in it. Witness Nos. 7 & 8 say that arrangements for the same had been made at Shamanna's house and Balakki mandi in Mudigere by the opponents.

petitioner witness No. 9 was a voter. He says that he had free refreshments arranged for by

DEPUTY COMMISSIONER KADUR DISTRICT.

TWO ANNAS
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MYSORE

by the 1st opponent. And petitioner's witness No. 10 says that the opponents had made arrangements for free feeding at Kalasa Centre also for the Voters.

The Version of the opponents is that one Surappa D.W.2 was Keeping a special hotel for the Voters in Shamanna's house at Mudigere. that they had nothing to do with it and that no feeding arrangements at all had been made in Yalakki mandi.

The opponents' witnesses Nos. 1 to 8 and 11 speak to this. Of these, witness Nos. 3 & 4 give the lie direct to petitioner's witness No. 9 and say that he paid for his tiffin as they did

TWO ANNAS
GOVT OF MYSORE
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did. There is thus conflicting testimony and there is no particular reason why one side should be believed to the exclusion of the other. I therefore regard the charge as not proved and find for the opponents on this issue.

2) The 2 issue is were buses supplied by opponents free of charge to voters to come and vote on their behalf. on this point petitioner witness No. 3 says that they had a free ride in the bus. He is admittedly under the influence of petitioner's witness No 2. between whom and the 1 no opponent the existence of enmity is spoken to by defence witness No. 1.

DEPUTY COMMISSIONER
KOLAR DISTRICT

TWO ANNAS
MYSORE
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Some Voters told the police Inspector petitioner Witness 5 - that they had ridden free but it is not stated for whom they voted or who had given them the free rides.

petitioners Witnesses 9 & 10 also speak to the free rides but they are contradicted by DWs 3 and 4. - defence witness 11 (a voter) says he went by bus but paid his fare. defence witness 12 says (vide also exhibit 15) that one Beri had ~~engaged~~ engaged a whole bus for voters only for 40 Rupees. defence witnesses 3 & 4 speak to this also and say ~~that~~ they paid their fares - for travelling in - that bus. Also in exhibit 3 & 4 on which complainant ~~Corrupt~~ relies, it is not stated

TWO ANNAS ಎರಡು ಆಣೆ MYSORE

stated that the 1 opponent would arrange for free rides to Voters. So on this issue also I hold that the charge against the opponent has not been established.

3) On the 3rd issue no evidence has been adduced beyond the petitioner's statement and I find for the opponent.

DEPUTY COMMIS... KADUR DISTRICT

4) The 1 opponent is stated to have promised 12 seers of Coffee seed to petitioner witness No 10 as a consideration for the latter's getting him 50 Votes. It is seen from exhibits 13 and 14, that not 12 but 2 seers had been actually sent. on this point, the 2 opponent says "I sent Subbabhatta 2 seers of Coffee seed. This I sent as a matter of Courtesy as is usual in making

malnad parts. There is no significance attached to such small presents. This was returned to me as Subbabhatta was not in the Village. I never told him I would give it as a quid-pro-quo for his services"

This appears to be a reasonable explanation and may be accepted.

petitioner witness No 10 also says he did not vote for the opponents. This is curious as in a man who took (as he says) the trouble of taking 50 voters to vote on the opponents' behalf.

51) On the last issue only evidence has been let in to show that one Somesvara was in Balasar on the 12th Dec.

TWO ANNAS
GOVT OF MYSORE
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But ~~their~~ his Voting on the 13th at Mudigere has not been established, nor has the Voting paper been exhibited. So I find for the opponents on this issue also.

In the heated atmosphere at election times it is usual for all sorts of rumours to be flying about and for parties to accept hearsay for the actual truth. The mere fact of the petitioner's party sending a telegram to the Deputy Commissioner is no proof that what they alleged was actually taking place. Besides the Deputy Commissioner Mr. Hebbar has not been examined and we do not

COMMISSIONER
KADUR DISTRICT

TWO ANNAS
GOVT OF MYSORE
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not know what his version is.
Under these circumstances
I find for the opponents
on all the five issues and
hold their election to be
valid.

The two petitions are dismissed

(Signed) H.V. Ramaswami
Deputy Commissioner
Chikmagalur
1-6-1927.

A true copy
By order
H. Ramaswami
District Sheristedar
& Ex-officio District
4/6/27.

Copy applied for on the	Applicant told to appear on the	Applicant appeared on the	Copying stopped for want of copying sheets on the	Additional copying sheets supplied on the
3.6.27	4.6.27	6.6.27	-	-

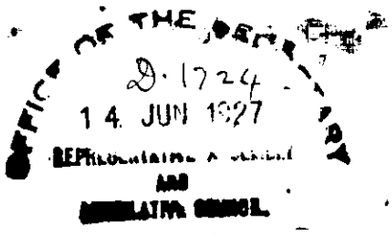
Copy ready on the	Copy delivered on the	Copied by	Examined by
4.6.27	6.6.27	A. Govindaiah	K. Ramachandra Rao

17

RA 8626-2

Before the Government of His Highness the Maharaja

of Mysore.



Election Appeal of 26-27.

Appellant (Petitioner)	Opponents.
B. Ranagarajiah.	1. Devappa Gowda.
	2. Manje Gowda.

Under the rules framed by Government regarding election to the Representative Assembly, the Petitioner states as follows:-

1. That he has appealed from the order of the learned Deputy Commissioner of Kadur declaring that the election of the Opponents was ~~not~~ vitiated by corrupt practice.

2. That he has shown clearly that the evidence establishes beyond doubt that corrupt practice was resorted to by the Opponents at the election.

3. That the order of the Deputy Commissioner clearly shows that ~~has~~ his appreciation of the evidence is far from satisfactory and is unconvincing and that he has not carefully analaysed the evidence.

4. Wherefore he prays that Government may be pleased to suspend the election until the disposal of

the appeal and issue an immediate order suspending the election and postponing the ~~setting~~ sitting of the opponents in the Representative Assembly this time.

V. Bobbili

Appellant - Petitioner.

Dr. Ramachandra Rao

Advocate for Petitioner.

D. 10-6-27

2 drafts

APP. F. VI. Gl.]

SUBJECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat
( )
the *192*

Date of issue 24/6/27

Signed by GW. T-S.

List of enclosures.....

Co by.....

Examined by.....

Section RA

File No. 88-26

Seria No. 3

No. S596/R.A.

To B. Rangarajiah Esqr
RA Member
Mudgere
(Kadur dt)

Sir,

With reference to Your Petition dated 10.6.27 (rec'd on 14.6.27) praying that the election of Messrs Dyavappa Gowda & Manje Gowda to the Rep: Assembly may be suspended etc pending the disposal of Your appeal petition of the same date against the orders of the Deputy Commissioner, Kadur dt, I am directed to inform You that there is no provision in the rules

over

Issue such a stay order

20

Annexure

18/22/6

For Secretary to Govt

Law Department

21-6-27

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 24/6/27

Signed by MV. T. S.

List of enclosures.....

Co by.....

Examined by.....

Section RA

File No. 88-26

Seria No. 4

No. 1781/R.A.

To The Deputy Commr.

Kadur Dt.

Sir,

I am directed to forward for favour of an early report with entire records, the petition of M. B. Rangarajaiah of Mudigere appealing against the order of the Dy. Comr. Kadur in Election petition case No. 10/26-27 upholding the election of Messrs Byrappa Gowda & Manje Gowda, Co. Members

over

Of the Repl Assembly

from Mudigere Taluk.

Thanure

28/2/28

Secretariat

Law department

16.2.28.

23

R.A 88—26—4

D.C.4]

No. C. 49/27-28.

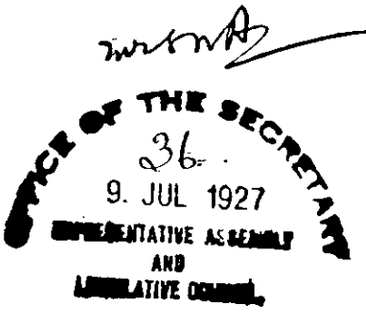
Office of the Deputy Commissioner,
Kadur District.

Enc. Five files

Dated Chikmagalur, 7th July 1927.

From

L.V.Ramaswami, Esq., M.A., B.L.,
Deputy Commissioner,
Kadur District.



To

K.Nagappa, Esq., Bar-at-Law,
Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Department, *Bangalore.*

Sir,

With reference to your letter No.1791/M.A. dated the 22nd ultimo, forwarding for report with records the petition of Mr.R.Rangarajih of Mudigere, appealing against this office order in Election Petitions Cases Nos.1 and 2 of 1926-27, upholding the election of the opponents, Messrs.Dyavappagowda and Manjegowda, as members of the Representative Assembly from the Mudigere Taluk constituency, I have the honor to state that the petitioner, the opponents and some others had stood as candidates for election to the Assembly from the Mudigere Taluk, and in the elections held on the 12th March 1927, the opponents Messrs.Dyavappa gowda and Manjegowda having secured the largest number of votes viz:- 305 and 263, respectively, were declared duly elected. The petitioner Mr.Rangarajiah secured five votes as reported by the Amildar in his No.Glc.203/25-26 dated 14th March 1927.

2. The petitioner thereupon filed an objection petition in this office with the required deposit of Rs.100/- on the 16th March 1927, against the return of the said two opponents to the Assembly, alleging

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alleging that the latter were able to secure the largest -- number of votes by having recourse to corrupt practices viz:- supplying coffee and food and motor bus to the voters to enable them to come and vote in their favour etc.

3. This petition was posted for hearing at Mudigere on the 22nd March 1927, when my predecessor, Mr.G.P.Heblikar, held that an objection petition against the return of both the -- opponents jointly was unmaintainable and that there should be two distinct objection petitions and that a sum of another -- Rs 100/- was required to be deposited therefor. This deposit was also paid. Mr.Heblikar then examined the petitioner on -- oath and framed certain issues relevent to the matter of enquiry, and, as in the course of examination, the petitioner referred to the official visit of the Deputy Commissioner (Mr.Heblikar) to Mudigere on the 12th March 1927, Mr.Heblikar thought he could not thereafter continue the enquiry, but must be done by some one else as has been noted by him in the order sheet, and he accordingly stopped it at that stage and submitted the records to Government with a report in that behalf. Vide this office letter No.E.P.1 and 2/26-27 dated the 25th March 1927.

4. The records in question were returned to me for disposal of the objection petitions in question on their merits with your letter No.Rel.1037 dated the 31st March 1927. The -- cases were accordingly posted by me for hearing on 30th April 1927, when it was decided with the consent of the Counsels on both the sides that as the issues are the same in both cases and the facts alleged are practically the same, the two ~~cases~~ objection petitions might be jointly enquired into. Accordingly, the further examination of the petitioner was proceeded with on the 14th May 1927. The petitioner in all examined 10 witnesses including himself and the opponents 14 including themselves,

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and closed the case on the 23rd May 1927.

5. After considering the evidence adduced on both sides, -- I found for the opponents on all the five issues framed by ---- me, hereinbefore for reasons set out in my order of the 1st June 1927, (flag 'A') and held that their election was valid. Hence the -- present appeal.

6. The entire records of the case are herewith submitted as called for along with the enclosures received with your letter -- under reply.

I have the honor to be,

Sir,

Your most obedient servant,

W C Ramaswami

Deputy Commissioner,
Bellary District.

APP. F. VI. Gl.]

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SUBJECT.....

Diary No. of letter replied to. 96 Rel

General and Revenue Secretariat
(RA)
the 192

Date of issue 8/10/27

Signed by M. J. Singaravelu Modaliar

List of enclosures.....

Copied by.....

Examined by.....

Ab

Section RA
File No. 88-26
Seria No. 6.
No. RRh 233/R.1

To W. B. Rangarajiah
RA Member
Madgere.

In reply to his petition dated 10th June 1927 appealing against the order of the Deputy Commissioner, Kodagu dt upholding the election of Messrs Djavappa Gowda & Mane Gowda as Members of the Rep: Assembly from the Madgere Urban — Rural constituency and requesting that the order may be set aside as the election was vitiated by corrupt practices W. Rangarajiah is informed

over

WD 0562—GPB—31,000—17-8-25

that Government, on a perusal of the records connected with the election and enquiry leading to the Dy Commissioner's order & on a careful consideration of the facts of the case, are of opinion that the Deputy Commissioner was right in upholding the election of Messrs Dyavappa Gowda & Dyo Manje Gowda, as Members of the Legl: Assembly.

The appeal is therefore dismissed.

By order

7/10 for Secretary to Govt
Law Department

Copy of the above is forwarded to the Dy Comr Kadur Dt for information with reference to correspondence ending with his letter No. C 49/27-28 dt 7.7.28

& the file of the case relating thereto is returned.

By order

7/10 for Secretary to Govt
Law Department